

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Michael C. Robinson et al.

Examiner: Paul Kim

Serial No.: 10/633,804

Group Art Unit: 2161

Filed: August 4, 2003

Docket No.: 200207438-1

Title: COMPUTER DATABASE ACCESS**CERTIFICATE OF TRANSMISSION**Commissioner for Patents
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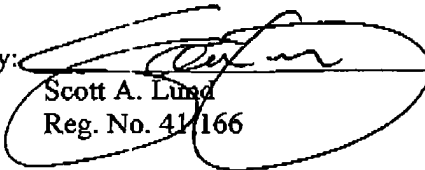
Sir:

I hereby certify that the following papers are being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No.: (571) 273-8300 on the date shown below:

1. Transmittal Letter for Reply Brief (1 pg.); and
2. Reply Brief to Examiner's Answer (4 pgs.)

Respectfully submitted,

Michael C. Robinson et al.,

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SAL:hsfBy: 
Scott A. Lund
Reg. No. 41166**6 PAGES – INCLUDING COVER PAGE**

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CENTRAL FAX CENTER****AUG 18 2008****PATENT APPLICATION****HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400****ATTORNEY DOCKET NO. 200207438-1****IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE****Inventor(s): Michael C. Robinson et al.****Confirmation No.: 7237****Application No.: 10/633,804****Examiner: Paul Kim****Filing Date: August 4, 2003****Group Art Unit: 2161****Title: COMPUTER DATABASE ACCESS****Mail Stop Appeal Brief - Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450****TRANSMITTAL OF REPLY BRIEF**Transmitted herewith is the Reply Brief with respect to the Examiner's Answer mailed on June 17, 2008.

This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new ground rejection.)

No fee is required for filing of this Reply Brief.

If any fees are required please charge Deposit Account 08-2025.

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Typed Name: Scott A. LundSignature: 

Respectfully submitted,

Michael C. Robinson et al.

By 

Scott A. Lund

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Reg No. : 41,166

Date : August 18, 2008

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Rev 10/07 (ReplyBrief)

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REPLY BRIEF TO EXAMINER'S ANSWER**Mail Stop Appeal Brief – Patents**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir/Madam:

This Reply Brief is presented in response to the Examiner's Answer mailed June 17, 2008, and in support of the Notice of Appeal filed January 14, 2008 and the Appeal Brief filed March 27, 2008, appealing the rejection of claims 1-9, 11-17, and 21 of the above-identified application as set forth in the Final Office Action mailed September 12, 2007.

At any time during the pendency of this application, please charge any fees required or credit any overpayment due to Deposit Account No. 08-2025 pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees required to Deposit Account No. 08-2025 under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Appellant respectfully requests reconsideration and reversal of the Examiner's rejection of pending claims 1-9, 11-17, and 21.

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ARGUMENT

Withdrawn Rejections

Regarding the amendment filed August 15, 2007 as being objected to under 35 U.S.C. 132(a) as introducing new matter into the disclosure, Appellant notes that the Examiner has withdrawn this objection (see Examiner's Answer, page 10).

Reply to Examiner's Response to Argument

Regarding the rejection of claims 1-17 and 21 under 35 U.S.C. 103(a) as being unpatentable over Tsuchiya US Patent No. 6,950,864 in view of Essential SNMP, by Douglas Mauro et al., and in further view of "Official Notice," Appellant notes that independent claims 1, 7, 15, and 21 each include an agent (1) receiving a unique identifier for a data item, a data type for the data item, and an action to be performed on said data item from a management application or network device/management station, (2) storing the unique identifier and the data type in a restricted intermediate database which is distinct from the database of interest and to which access is unavailable with/by the management application, and (3) issuing an action command to the database of interest to perform the action on the data item using the stored unique identifier, the stored data type, and the action, whereby the agent (4) receives a response from the database of interest and sends the response to the management application or network device/management station, and wherein the agent is distinct from the restricted intermediate database and the database of interest.

Once again, regarding the Tsuchiya reference, Appellant notes that management table 20 and table managing section 22 of the Tsuchiya reference are both part of object managing section 19, and notes that object managing section 19 of the Tsuchiya reference is part of control processing section 17 which, in turn, is part of SNMP agent 14 (see, e.g., Tsuchiya, FIGS. 1, 3, 4, and 5). Management table 20 and table managing section 22 of the Tsuchiya reference, therefore, are not distinct from SNMP agent 14. Rather, management table 20 and table managing section 22 of the Tsuchiya reference are both part of SNMP agent 14.

As the Examiner appears to correlate management table 20 and table managing section 22 of the Tsuchiya reference to the restricted intermediate database and the database of interest, respectively, of independent claims 1, 7, 15, and 21, and correlate SNMP agent 14

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of the Tsuchiya reference to the agent of independent claims 1, 7, 15, and 21, Appellant submits that the Tsuchiya reference, as relied in the rejection of claims 1-17 and 21 under 35 U.S.C. 103(a), does not disclose an agent which is distinct from a restricted intermediate database and a database of interest, as claimed in independent claims 1, 7, 15, and 21.

In the Examiner's Answer, the Examiner contends that "the agent remains distinct and separate from the restricted intermediate database and the database of interest because the agent software for receiving data from the management application (i.e. the agent) is a software application which resides on an application layer that controls the management table 20 and the table managing section 22 (i.e. the databases)" (Examiner's Answer, page 11). In reply to this contention, Appellant notes that the Tsuchiya reference makes no reference to "software" including, more specifically, no reference to "agent software" and no reference to "a software application which resides on an application layer that controls the management table 20 and the table managing section 22 (i.e. the databases)." Furthermore, the Tsuchiya reference specifically discloses that the "[t]he SNMP agent 14 is constituted by a hardware resource of the managed device 13, which includes a CPU, a memory and a communication interface..." (emphasis added) (Tsuchiya, col. 4, lines 19-22). The Examiner's reliance on the Tsuchiya reference in the rejection of claims 1-17 and 21 under 35 U.S.C. 103(a), therefore, is not supported by the Tsuchiya reference.

Accordingly, for the reasons set forth above, as well as the reasons set forth in the Appeal Brief filed March 27, 2008, Appellant submits that the Examiner has not established a *prima facie* case of obviousness of independent claims 1, 7, 15, and 21, and submits that independent claims 1, 7, 15, and 21 are each patentably distinct from the cited references. Furthermore, as dependent claims 2-6 further define patentably distinct independent claim 1, dependent claims 8, 9, and 11-14 further define patentably distinct claim 7, and dependent claims 16-17 further define patentably distinct claim 15, Appellant submits that these dependent claims, in addition to the reasons set forth in the Appeal Brief filed March 27, 2008, are also patentably distinct from the cited references. Appellant, therefore, respectfully submits that the rejection of claims 1-17 and 21 under 35 U.S.C. §103(a) is not correct and should be withdrawn, and submits that claims 1-9, 11-17, and 21 should be allowed.

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CONCLUSION

For the above reasons, Appellant respectfully submits that the art of record neither anticipates nor renders obvious the claimed invention. Thus, the claimed invention does patentably distinguish over the art of record. Appellant, therefore, respectfully submits that the above rejections are not correct and should be withdrawn, and respectfully requests that the Examiner be reversed and that all pending claims be allowed.

Any inquiry regarding this Reply Brief should be directed to either Jeff D. Limon at Telephone No. (541) 715-5979, Facsimile No. (541) 715-8581 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

IP Administration
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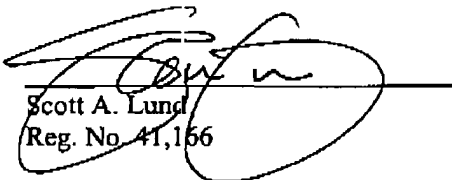
Respectfully submitted,

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